

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, December 5, 2016 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Rhea Crane, Rod Bradley, Tony Dargatz, Steve Keszler, David Martinson and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by Mike to approve the agenda. Motion was rescinded.

Motion by Bradley, second by Bachand and carried with all members present voting yes to approve the agenda with the addition of the Homeslice contract for Rally advertising.

Motion by Crane, second by Keszler and carried with all members present voting yes to go into executive session for two legal cases, two contracts and three personnel at 6:05 pm.

Motion by Bachand, second by Martinson to return to regular session at 6:34 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

### Announcements:

- City offices will be closed from 11:00 – 1:00 on Friday December 9th.
- Congratulations to former Brown High School graduate Karly Wilson a member of the Colorado Christian Soccer team. The team won first place in the NCAA soccer tournament.
- Sturgis Liquor will an open house on December 9<sup>th</sup> from 5-7.
- United Way is at 72% of their goal and any donations would be appreciated to this worthy cause.
- Congratulations to Francie Ruebel Alberts for being named volunteer of the year for employer support of the National Guard and Reserve.
- There will be a living nativity at the Methodist church on December 18<sup>th</sup>.

### Informational Reports:

- Park Board Minutes 10/19/2016

### City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for October collected in November was down 17% for the year to date. Comparing 2016 to 2014 it is up double digits. The Gross Receipts Tax (triple B) was up 1% year to date.
- Payroll Changes – within budget:
  1. Public Works Dept – Director – Rick Bush – \$3,271.73 retroactive to October 17, 2016.
  2. Ambulance Dept – EMT-B – Sarah Gleason - \$12.00 (no change) eligible for benefits.
- When using a City credit card it is a requirement to have a receipt for any purchase made with the credit card and the receipt must be turned in with the AO to the Finance Department. If the department using the card does not turn in invoices the credit card could be revoked.

Motion by Waterland, second by Crane and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Consideration to approve the minutes from the November 21, 2016 regular council.
- b. Consideration to approve setting a public hearing on December 19, 2016 a Use on Review for Brandy Nikkila for an in-home daycare at 2020 & 2030 Park Ave.
- c. Consideration to approve setting a public hearing on December 19, 2016 for a Variance for MHI Investments for an east side setback at 1423 Main.
- d. Consideration to approve setting a public hearing on December 19, 2016 for a Variance for Scott Sabers for all setbacks at 2327 Junction Ave.
- e. Consideration to approve Resolution 2016-66 – Surplus Property for two Harley Davidson Motorcycles.

**RESOLUTION 2016-66**  
**A RESOLUTION DECLARING PROPERTY SURPLUS**

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BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described below is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

Police:

1. 2015 Harley Davidson motorcycle- Model FLHTP - VIN- 1HD1FMM33FB631741
2. 2015 Harley Davidson motorcycle –Model FLHTP - VIN - 1HD1FMM32FB632136

Dated this 5<sup>th</sup> day of December 2016.

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- f. Consideration to approve the contract extension for Airport Management Services from January 1, 2017 through March 31, 2017.
- g. Consideration to authorize the City Manager to sign an electric easement underground on the City's Recycling Center.
- h. Consideration to setting a public hearing on December 19, 2016 for SRF funding for the Sturgis Wastewater System Improvement Project.

Motion by Martinson, second by Bradley and carried with all members present voting yes to approve the following claims:

**WAGES** – Ambulance \$27,547.02; Attorney \$5031.75; Auditorium \$180.07; Buildings \$1755.07; Cemetery \$2415.02; City Manager \$7670.37; Community Center \$11,560.84; Finance Office \$10,065.18; Fire Department \$113.05; Human Resource \$2525.96; Library \$8536.05; Liquor \$7078.71; Mayor and Council \$3554.50; Parks \$7794.64; Planning & Permitting \$8229.27; Police \$50,190.56; Rally \$7417.19; Recreation \$4534.33; Sanitary Service \$15,899.80; Streets \$13,386.59; Wastewater \$11,152.13; Water \$14,852.44; Federal Withholding \$25,074.56; FICA \$16,149.84.

**GENERAL** – A&B Business, \$151.04, rep; A&J Surplus, \$11.96, rep; Amazon, \$632.99, sup; American Legal Services, \$43.44, prof fee; Avaya, \$25.55, util; Baker & Taylor, \$578.34, sup; BH Energy, \$13,735.40, util; Blackhills.com, \$120.00, sup; Roger Burnham, \$2,800.00, prof fee; Butte Electric, \$620.13, util Century Business Products, \$101.51, sup; Dakota Business Center, \$105.68, rep; Fedex, \$75.51, sup; Freeman's Electric, \$26.47, rep; Golden West Technologies, \$212.50, rep; Inland Truck Parts, \$4,272.50, rep; Jenner Equipment, \$46.99, rep; Tyler Kaitfors, \$500.00, ins; Kone, \$151.11, rep; Victor Leveque, \$275.00, travel; LPN Holdings, \$1,650.17, sup; Meade County Auditor, \$13,800.87, other; Meade County Times Tribune, \$418.97, pub; Chad Moyers, \$30.00, other; Neve's Uniforms, \$157.00, sup; Mike O'Bryan, \$500.00, ins; Pitney

Bowes, \$61.19, sup; Postmaster, \$2,500.00, sup; Print Mark-et, \$1,160.38, pub; Public Safety Equipment, \$2,610.00, rep; Purchase Power, \$500.00, sup; Ramkota Hotel, \$99.99, travel; Richter's Tire & Exhaust, \$1,191.94, sup; Rodenburg Law Firm, \$700.00, prof fee; S&C Cleaners, \$3,100.00, rep; Sacrison Asphalt, \$737.40, sup; SD State Historical Society, \$51.13, sup; Sheehan Mack Sales & Equipment, \$395.17, rep; Speedy Lube, \$33.29, rep; Christina Steele, \$21.21, sup; TASC, \$1,966.26, ins; Taser International, \$1,495.82, sup; Taste of Home, \$29.98, sup; VAST Business, \$438.04, util; Verizon, \$2,171.37, util; Katelyn Walton, \$330.00, pub; Weimer's Diner & Donuts, \$22.80, sup; Elaine Wolken, \$500.00, ins.

**SPECIAL SALES TAX** – Chamber of Commerce, \$9,166.63; Downtown Sturgis Foundation, \$500.00; Homeslice Media Group, \$500.00; Sturgis Economic Development, \$9,833.37.

**CAPITAL IMPROVEMENT** – Baseline Surveying, \$4,140.00; Brosz Engineering, \$667.50.

**LIQUOR** – ASYMCA, \$4,173.41, resale; Belle Joli Winery, \$288.00, resale; Black Hills Energy, \$1,819.46, util; Cask & Cork, \$122.50, resale; Century Business Products, \$2.52, sup; Dakota's Best Distributing, \$126.00, resale; Fat Boys, Inc., \$27.00, resale; Fisher Beverage, \$7,459.09, resale; Johnson Western Wholesale, \$32,163.10, resale; LPA Retail Systems, \$1,350.00, prof fee; M&B Enterprises, \$248.00, resale; Okoboji Wines, \$600.50, resale; Prairie Berry, \$981.00, resale; Print Mark-et, \$68.26, pub; quality Brands of the Black Hills, \$13,127.34, resale; Republic Beverage Co, \$40,804.21, resale; Southern Glazer's of SD, \$2,785.23, resale; Trishelle Tammi, \$409.90, ins; TASC, \$90.12, ins.

**WATER** – Black Hills Energy, \$42.79, util; Kathy Bulau, \$500.00, ins; Butte Electric, \$183.60, util; Century Business Products, \$42.32, sup; Dakota Pump, \$1,652.96, rep; Hawkins, \$1,613.16, sup; HD Supply Waterworks, \$1,351.01, sup; Heavy Constructors, \$38,839.20, cap imp; Inland Truck Parts, \$107.45, rep; Jenner Equipment, \$46.99, rep; Midcontinent Testing Lab, \$147.00, prof fee; Print Mark-et, \$68.26, pub; Ramkota Hotel, \$99.99, travel; TASC, \$160.35, ins; VAST, \$31.86, util; Verizon, \$214.11, util.

**WASTEWATER** – Black Hills Energy, \$2,356.71, util; Mid-American Research Chemical, \$692.48, rep; Print Mark-et, \$68.26, pub; TASC, \$90.93, ins; Verizon, \$139.45, util.

**SANITATION** – All Seasons Pest Control, \$229.00, sup; Century Link, \$55.44, util; Eddies Truck Sales, \$102.40, rep; Lawson Products, \$268.50, rep; Levi Littler, \$160.56, ins; Print Mark-et, \$68.26, pub; Dan Tammi, \$500.00, ins; TASC, \$213.03, ins; Verizon, \$37.77, util.

**AMBULANCE** – Arrow International, \$677.53, sup; Century Business Products, \$396.80, sup; Henry Schein, \$784.62, sup; Image Trend, \$321.00, sup; Print Mark-et, \$68.26, pub; Purchase Power, \$253.94, sup; Spearfish Ambulance, \$110.00, prof fee; TASC, \$248.61, ins; Verizon, \$347.80, util; Weimer's Diner & Donuts, \$24.00, sup.

Motion by Waterland, second by Martinson and carried with all members present voting yes to approve the Knuckle Saloon for a Special Events License for the Liquor Store Open House on December 9, 2016.

Motion by Crane, second by Anderson and carried with Carstensen, Anderson, Bachand, Crane, Dargatz, Keszler, Martinson and Waterland voting yes, Bradley abstaining, to approve a transfer of a Retail on-off sale Malt Beverage license from Poker Alice Casino to Lorna Duprel at 2640 Lazelle.

Motion by Waterland, second by Bachand and carried with all members present voting yes to approve first reading of Ordinance 2016-12 - Title 14 – Parks and with the change to 14.02.02 to not strike out “and confirmed by the City Council” from the ordinance.

Motion by Crane, second by Bradley and failed with Bradley, Crane, Keszler and Martinson voting yes and Anderson, Bachand, Carstensen, Dargatz and Waterland voting no to approve first reading of Ordinance 2016-13 - Title 18 – Zoning – In-home businesses and paving with the addition of one more condition that would require that any applicant of an At Home Business Use

on review to obtain an agreement from any governing board or individual of a subdivision with covenants stating that an At Home Business would be allowed prior to Planning and Zoning approval.

Motion by Waterland, second by Anderson and carried with all members voting yes to approve first reading of Ordinance 2016-13 - Title 18 – Zoning – In-home businesses and paving – as written.

City Manager Ainslie gave a power point presentation on the “The Legend Lives On”. The City staff will be working on making the 2017 Sturgis® Motorcycle Rally Inc.™ a better experience for our visitors. The presentation will be on the City website.

Motion by Bradley, second by Martinson and carried with all members present voting yes to approve first reading of Ordinance 2016-14 – Title 31 – Licensing of Temporary Businesses.

Motion by Martinson, second by Crane and carried with all members present voting yes to approve an Advertising Agency Agreement with Homeslice for Rally Advertising.

Motion by Dargatz, second by Waterland and carried with all members present voting yes to table Resolution 2016-67 – Issuance of Open Container during 2017 Sturgis® Motorcycle Rally™ until the December 19, 2016 meeting.

Any other business:

The following citizens expressed their concerns on the following items: Russ Keaton – the reconstruction of Main Street and the effect on the buildings; issues on Initiated Measure 22, openness in government and he is against the open container for the Rally; Bernadette Usera – questions on Buxton; Jack Hoel- against the open container for the Rally; Myrick Robbins – approval of the meetings between the City and the businesses owners on the Rally and enjoyed being a part of the meeting; Dave Wilson – approval of the meetings between the City and business owners and enjoyed the sharing of ideas.

Motion by Waterland, second by Keszler and carried with all members present voting yes to go into executive session for personnel and contracts at 8:34 pm.

Motion by Dargatz, second by Anderson to return to regular session at 9:15 pm.

Motion by Waterland, seconded by Dargatz and carried with all members present voting yes to adjourn the meeting at 9:15 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

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